

SILVERMANACAMPORA LLP
Counsel to the Official
Committee of Unsecured Creditors
100 Jericho Quadrangle, Suite 300
Jericho, New York 11753
(516) 479-6300
Anthony C. Acampora

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

-----X
In re:

DOWLING COLLEGE,
f/d/b/a DOWLING INSTITUTE,
f/d/b/a DOWLING COLLEGE ALUMNI ASSOCIATION,
f/d/b/a CECOM,
a/k/a DOWLING COLLEGE, INC.,

Chapter 11

Case No.: 16-75545 (REG)

Debtor.
-----X

**STIPULATION BY AND BETWEEN
THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS AND KPMG LLP
RESOLVING THE COMMITTEE'S BANKRUPTCY RULE 2004 APPLICATION**

This Stipulation is entered into by and between the Official Committee of Unsecured Creditors (the "Committee") of Dowling College, *f/d/b/a* Dowling Institute, *f/d/b/a* Dowling College Alumni Association, *f/d/b/a* Cecom, *a/k/a* Dowling College, Inc., the above-captioned debtor and debtor in possession (the "Debtor") and KPMG LLP ("KPMG").

WHEREAS, KPMG has received notice of and was properly served by the Committee with the Committee's Application for Entry of Order Directing Examination of KPMG LLP, by an Authorized Partner or Person with Knowledge of Debtor's Business Transactions and Production of Documents Pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure, the proposed subpoena, and any supporting documents or schedules for the production of documents and notice of intended examination (the "Application"); and

WHEREAS, counsel for the Committee and KPMG have agreed on the scope of the document production to be made by KPMG and the timing of any examination.

NOW, THEREFORE, in consideration of the mutual promises and covenants hereinafter set forth, it is hereby stipulated and agreed, by and among the parties hereto, by the undersigned authorized persons, as follows:

1. KPMG shall produce the documents, excluding emails, demanded in paragraphs "a" through "h" of the Committee's Application which shall include workpapers from the audits of the Debtor's financial statements for the fiscal years ended June 30, 2011 through June 30, 2015.
2. The production of the balance of the documents sought in the Application, including emails and documents relating to the fiscal years ended prior to June 30, 2011 shall be held in abeyance pending further discussion by the parties.
3. The time for KPMG to begin the production of documents is May 1, 2017.
4. The oral examination of representative of KPMG with knowledge of the Debtor's business transactions shall occur after the completion of KPMG's document production on a date mutually agreeable to the parties. The place for the examination will be SilvermanAcampora LLP, 100 Jericho Quadrangle, Suite 300, Jericho, New York 11753.
5. This Stipulation may be signed in counterparts, with each part being deemed a part of the original document.
6. Facsimile or PDF signatures of each of the parties hereto shall be deemed originals for purposes of this Stipulation.
7. The person executing this Stipulation on behalf of each respective party warrants and represents that he or she is authorized and empowered to execute and deliver this Stipulation on behalf of such party.

Dated: Jericho, New York
April 7, 2017

SILVERMANACAMPORA LLP
Attorneys for the Official Committee of Unsecured
Creditors
s/Anthony Acampora

By:




Anthony Acampora
100 Jericho Quadrangle, Suite 300

Jericho, New York 11753
(516) 479-6300

Dated: Boston, Massachusetts
April 7, 2017

FOLEY HOAG LLP
Attorneys for KPMG LLP
s/Euripides Dalmanieras

By:


Euripides Dalmanieras
155 Seaport Boulevard
Boston, Massachusetts 02210
(617) 832-3006